

Application No. 10/660,411
Reply to Office action of September 12, 2006
Express Mail Label No. EV 683 299 096 US

REMARKS

This Amendment is responsive to the Office action dated September 12, 2006, setting forth a shortened one-month statutory deadline for reply with a one-month extension of time expiring on Monday, November 13, 2006, since November 12, 2006, is a Sunday. This Response is filed on November 13, 2006; thus, a petition and fee for a one-month extension of time accompany this Amendment.

The Examiner is thanked for the review of this application and issuance of an Office action.

Claims 1-18 are pending in this application with claims 1, 8, 15 and 18 being independent claims. Claims 1-2, 5-6 and 15-17 are cancelled, and claims 3-4, 7-8, 13-14, and 18 are withdrawn. Accordingly, after entry of this Amendment, claims 9-12 will remain pending with claim 9 being an independent claim.

I. Restriction Requirement

The Examiner asserts three patentably distinct species of the invention are claimed in the application:

1. Species I as depicted in Fig. 1;
2. Species II as depicted in Fig. 2; and
3. Species III as depicted Fig. 3.

The Examiner requires election a single disclosed species for prosecution on the merits and a listing of claims readable on the elected species.

In response to the restriction requirement, Species II is hereby elected for prosecution on the merits. Claims 9-12 read on Species II. Further, claim 9 is a subcombination claim for combination claims 3-4, 7-8, 13-14 and 18. Claims 3-4, 7-8, 13-14 and 18 each contain all limitations of claims. Thus, the Applicant respectfully submits these claims should be rejoined to the application if claim 9 is allowable. Accordingly, the Applicant has withdrawn claims 3-4, 7-8, 13-14 and 18 and reserves the right under MPEP §§ 806.05(d) and 821.04 for these claims to be rejoined should claim 9 be allowable. The Applicant has cancelled claims 1-2, 5-6, and 15-17 without prejudice since these claims read on non-elected species and do not contain all limitations of claim 9. The Applicant reserves the right to pursue these cancelled claims in a divisional or other application claiming priority to this application.

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II. Claim Amendments

Withdrawn claim 3 has been rewritten into independent form to incorporate the limitations of cancelled claims 1 and 2. The claim was merely rewritten to be in the proper form if rejoined to the application for at least the reasons set forth above. Since claims 1 and 2 were cancelled solely because they read on a non-elected species and amended claim 3 merely expressly recites the limitations of claim 3 as originally filed, this amendment does not narrow the scope of claim 3 and thus is not a narrowing amendment.

Claim 9 has been amended to remove an unnecessary limitation. Removal of this limitation at least broadens the scope of claim 9 and thus is not a narrowing amendment.

III. Claim Numbering

During a review of the claims, the Applicant noted the number "12" was mistakenly used twice for the claims and that the number "11" was mistakenly not used. The Applicant respectfully requests the Examiner renumber the first claim numbered "12" to "11."

IV. Conclusion

After entry of this Amendment, claims 9-12 remain pending in the application with claim 9 being an independent claim. Claims 3-4, 7-8, 13-14, and 18 are withdrawn. Applicant respectfully requests rejoinder of these claims should subcombination claim 9 be allowable.

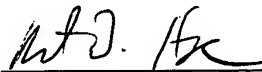
This Amendment is submitted with a petition for a one-month extension of time in accordance with 37 C.F.R. § 1.136(a). Accordingly, please charge Deposit Account No. 04-1415 in the amount of \$60.00 to cover the extension of time fee. No further petitions or fees are believed due with respect to the filing of this Amendment. However, should any such petitions or fees be necessary, please consider this as authorization therefore and charge such fees to Deposit Account No. 04-1415.

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Should any issues remain that the Examiner believes may be dealt with in a telephone conference, the Examiner is invited to contact the undersigned at (303) 352-1118.

Dated: November 13, 2006.

Respectfully submitted,



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